

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>RODELL PATTERSON,</b>	:	<b>CIVIL ACTION NO. 1:08-CV-0076</b>
	:	
<b>Petitioner</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>UNITED STATES OF AMERICA,</b>	:	
	:	
<b>Respondent</b>	:	

**ORDER**

AND NOW, this 15<sup>th</sup> day of January, 2008, upon consideration of petitioner's petition for writ of habeas corpus, in which he moves pursuant to 18 U.S.C. § 3583 (e)(2) to modify his thirty-six month term of supervised release<sup>1</sup> (Doc. 1), and it appearing that such a motion is properly presented to the sentencing court, see 18 U.S.C. § 3583 (e)(1) - (3) (stating that the sentencing court has the authority to terminate, extend, modify, reduce, enlarge or revoke a term of supervised release), see also, United States v. Johnson, 529 U.S. 53, 60 (2000) (finding that "[t]he trial court, as it sees fit, may modify an individual's conditions of supervised release. § 3583(e)(2).") it is hereby ORDERED that the petition is DISMISSED WITHOUT PREJUDICE to petitioner's right to pursue the motion in the sentencing court. It is

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<sup>1</sup>On March 14, 2003, in the matter of United States v. Patterson, 5:01-cr-00529, the United States District Court for the Northern District of New York sentenced petitioner to a ninety-two month term of imprisonment to be followed by thirty-six months of supervised release. See docket entry 32 of the electronic docket sheet found at <https://pacer.uspci.uscourts.gov>.

further ORDERED that petitioner's application to proceed *in forma pauperis* (Doc. 2) is GRANTED for the sole purpose of the filing of this action.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge